

**Board of Public Works and Safety
Regular Meeting Minutes
March 18, 2013**

The regular meeting of the Board of Public Works and Safety of the City of Franklin, Indiana was called to order at 5:00 p.m. at City Hall, 70 E. Monroe Street, with Mayor Joseph E. McGuinness presiding. Board members Stephen Barnett and Bob Swinehamer answered roll call.

Chief of Police Tim O'Sullivan, Fire Chief John Henderson, Parks Department Superintendent Chip Orner, Sewer Billing Office Manager Sherry Phillips, DPW Superintendent Rick Littleton, Community Development Director Krista Linke, City Engineer Travis Underhill, Street Commissioner Ron Collins, Clerk Treasurer Janet Alexander, Records Clerk Stephanie Shepherd, and City Attorney Lynnette Gray were also in attendance.

Mr. Swinehamer offered an invocation followed by a recitation of the Pledge of Allegiance.

Public Comments

No one asked to speak.

Consent Agenda

Mayor McGuinness presented the consent agenda for approval.

1. Approval of Minutes from meeting held March 4, 2013

Mr. Swinehamer made a motion to delay the approval of minutes until the discussion regarding crediting benefit time to employees, seconded by Mr. Barnett. A voice vote was taken with all members stating Aye. No members stating Nay. The motion carried.

2. Board of Works Claims.

- Payroll in the amount of \$297,869.17
- #030913 Sewer Utilities in the amount of \$26,913.28
- #030713 RDC Utilities in the amount of \$6,195.17
- #030813 Civil City Utilities in the amount of \$66,527.20
- Payroll Correction in the amount of \$34.20
- #031813 Civil City General Obligations in the amount of \$63,247.12
- #031713 Sewer Utility General Obligations in the amount of \$31,186.02
- #031613 Sewer Utility Payments in the amount of \$1,695.77
- #031513 Civil City Utility Payments in the amount of \$111,588.54
- #031213 RDC Utility Payments in the amount of \$42,694.68

Mr. Swinehamer made a motion to approve the claims as presented, seconded by Mr. Barnett. The motion carried.

Old Business

Questions Regarding Crediting Benefit Time to Employees Using a Scheduled Day off December 26, 2012 (Snow Emergency-City Closed) – Mayor McGuinness stated that this was

approved during the last meeting. Clerk-Treasurer, Janet P. Alexander asked the board to reconsider the approval due to the requirement that the City Council adopt an ordinance authorizing paid days off. A discussion was held. Mr. Swinehamer made a motion to vacate their previous decision granting a benefit day, seconded by Mr. Barnett. A voice vote was taken with all members stating aye, no members stating nay. The motion carried.

A motion was made by Mayor McGuinness to approve the Minutes of March 4, 2013, seconded by Mr. Barnett. A voice vote was taken with all members stating aye, no members stating nay. The motion carried.

Request to Credit Employees for Unused Benefit Time from 2012 - Mayor McGuinness stated that both employees involved in this request were exempt employees, so therefore they would not be able to rollover their time. Mayor McGuinness made a motion to deny the request, seconded by Mr. Barnett. A voice vote was taken with all members stating aye, no members stating nay. The motion was denied.

Wilson Overlook Street Lighting - City Engineer Underhill stated that he was not ready to move forward on this item at this time. Mayor McGuinness made a motion to table this until Mr. Underhill has further information, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye, no members stating nay. The motion carried, and the matter tabled.

New Business

Request Noise Variance for Live Entertainment at Grill Bar from 8:00 p.m. to 12:00 a.m. - April 13 & 19th, May 11 & 24th, June 15 & 28th, July 13 & 27th, Aug. 9 & 17th, & September 6 & 21st – Mayor McGuinness stated that he had discussed this item with Larry Hughes, the owner last week. Mr. Hughes was unable to attend tonight. Mr. Barnett made a motion to approve, seconded by Mayor McGuinness. A voice vote was taken with all members stating aye, no members stating nay. The motion carried.

Presentation from Green Cleaning & Maintenance Solutions – Mayor McGuinness stated that this was a sales presentation, which will be referred to the individual departments.

Dedication of Public Right-of-Way of E. & W. Court Street - City Attorney Gray presented the document dedicating right of way to the Board. Mr. Barnett made a motion to approve, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye, no members stating nay. The motion carried.

Telecommunications Services Agreement – Department of Public Works Superintendent Littleton stated that this matter was forwarded to the Board of Works with a favorable recommendation from the City Council. The City Council recommended that the City update to high speed internet using MetroNet. A discussion was held. Mr. Swinehamer made a motion to approve the agreement between the City of Franklin and MetroNet, seconded by Mr. Barnett. A voice vote was taken with all members stating aye, no members stating nay. The motion carried.

Updating Certificate of Liability Insurance Requirements - Clerk-Treasurer Alexander stated that we had changed liability companies from Travelers to One Beacon, and One Beacon does not have the same requirements for the certificates of liability insurance that vendors must provide to the city. Ms. Alexander asked our insurance agent John Auld to provide a new form with the language changed to One Beacon's requirements. Before sending out the new

requirements to the Department Heads, Ms. Alexander would like the Board of Works approval of the changes. A discussion was held. Mr. Barnett made a motion to approve the changes, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye, no members stating nay. The motion carried.

2013 Johnson Memorial Hospital Wellness Program Service Agreement for the City of Franklin - Mr. Barnett stated that this past Saturday there was an open meeting for the public to discuss the City's insurance plan; City employees do like the wellness program. Mr. Barnett made a motion to approve, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye, no members stating nay. The motion carried. Mr. Swinehamer made a motion to allow the Mayor to sign on behalf of the BOW, seconded by Mr. Barnett. A voice vote was taken with all members stating aye, no members stating nay. The motion carried.

Buycrash.com License Agreement - Chief O'Sullivan explained this program. City Attorney Gray found no issues with this agreement and there is no cost to the City. Mr. Swinehamer made a motion to approve, seconded by Mr. Barnett. A voice vote was taken with all members stating aye, no members stating nay. The motion carried.

Request to Change Credit Card Provider – Clerk Treasurer Alexander requested the BOW authorize her to switch credit card service providers from Heartland Bank to ELAN. She explained that the contract includes language that states that if there is a legal dispute it would be handled in Minnesota. Ms. Alexander also said that our city logo can be printed on the cards for a onetime fee of \$300. A discussion was held. Mr. Barnett made a motion to change credit card providers, and pay the \$300 for the logo on the cards, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye, no members stating nay. The motion carried.

Approval for Board of Works to Pay Invoice Received from Duke Energy in the amount of \$23,845.31 for Removal of Overhead Lines & Poles in Buyout Project Area - Sr. Planner Myers explained that Duke Energy is asking for payment in advance to provide this service. Ms. Myers stated that the charges may be reimbursed by the grant. Mr. Barnett made a motion to approve, with the payment to come out of Board of Works professional services, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye, no members stating nay. The motion carried.

Update on Downtown Parking Lot Project, and Upcoming Schedule for Construction & Closures - City Engineer Underhill stated that as of March 25th East Court will be closed for repairs but it will be open for the Easter weekend but will re-close on Monday, April 1st. The sidewalks will remain open to pedestrians. Once East Court Street is completed, then West Court Street will be closed. The work on the North Main Street parking lot behind the Courthouse Annex will begin Wednesday, March 20th. Mr. Underhill stated that he will have a biweekly meeting with contractors and will e-mail all business owners to update them on progress. He also stated that the issue of the underground storage tank on Water Street appears to be resolved. The final paperwork will be filed with IDEM soon.

Pavement Preservation Program Discussion - City Engineer Underhill gave an update on his plan to develop a comprehensive Road Preservation Program. A discussion was held. He plans to provide additional information at the second BOW meeting in April.

Request Board of Works Pays Outstanding Sewer Bill in the amount of \$25.66 for 400 S. Main Street - Sr. Planner Myers passed out a memo that outlines the chain of events regarding this bill. Ms. Myers stated that after speaking with Sewer Billing Manager Phillips and the Clerk Treasurer they thought it best to bring this to the Board of Works to ask for payment. Mr.

Swinehamer made a motion to pay the bill, seconded by Mr. Barnett. A voice vote was taken with all members stating aye, no members stating nay. The motion carried.

Other Business

Mr. Sandhu came forward to present his application for a taxi service franchise to the Board of Works. Mr. Sandhu realized that this cannot be approved tonight, and stated this is just for informational purposes only. His company will be called Super Yellow Cab. Mr. Sandhu stated that he owns the Relax Inn/Howard Johnson located by Interstate 65. City Attorney Gray stated that approval of a franchise requires a public hearing that will be scheduled for April 1st. Ms. Gray reviewed the application and told Mr. Sandhu that we still need proof of liability insurance. He agreed to provide it this week.

Department Reports / Staff Reports

Community Development Director Linke stated that there will be a public meeting to discuss the Comprehensive Plan on March 25th from 6:30 pm – 8:30 pm, in the council chambers and that the public is invited to attend.

Ms. Linke also stated there would be an EDC Special Meeting March 26th at 8 a.m. in Council Chambers to go over the case load of the tax abatements.

Street Commissioner Collins stated that effective Wednesday, March 20th all cross streets on North Main Street will be closed until the end of the project.

Adjournment

As there was no further business to come before the Board of Works a motion was made and seconded to adjourn. The meeting adjourned at 5:58 p.m.

Respectfully submitted,

Janet P. Alexander, Clerk-Treasurer
Enrolled: 03/28/2013

Joseph McGuinness, Mayor

Attest:

Janet P. Alexander, Clerk-Treasurer